

**United States District Court
for the
Northern District of New York
Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Chion Burrage Case Number: 5:04CR000140-013
Name of Sentencing Judicial Officer: Frederick J. Scullin, Jr.
Date of Original Sentence: 10/3/06
Original Offense: Conspiracy to Possess with Intent to Distribute and to Distribute Cocaine
Original Sentence: 40 months imprisonment and 3 years supervised release
Type of Supervision: Supervised Release Date Supervision Commenced: 2/23/07
Asst. U.S. Attorney: Terrence M. Kelly Defense Attorney: Paul Carey(appointed)

PETITIONING THE COURT

☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 **Standard Condition #7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.**

On June 25, 2007, the defendant submitted to a urinalysis which tested positive. The lab confirmed the sample was positive for cocaine, marijuana and codeine. The defendant admitted to smoking marijuana and taking "unknown" pills, and smoking "chippers", but denied using cocaine.

On July 27, 2007, the defendant submitted to a urinalysis which tested positive. The lab confirmed the sample was positive for marijuana. The defendant admitted on 7/31/07 that he had smoked marijuana twice in the previous week.

On August 1, 2007, the defendant submitted to a urinalysis which tested positive. The lab confirmed the sample was positive for cocaine and marijuana. The defendant admitted he had smoked marijuana and took some "unknown" pills, but didn't know why he tested positive for cocaine.

On September 7, 2007, the defendant submitted to a urinalysis which tested positive. The lab confirmed the sample was positive for marijuana.

The above information is based on drug tests confirmed by the lab and verbal admissions by the defendant. (Grade C violation)

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- 2 **Standard Condition #9: The defendant shall not associate with any person engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.** The defendant's girlfriend, Jacqueline Gilchrist, with whom he regularly associated and at whose apartment he often spent the night, is a convicted felon. The defendant did not inform the probation officer of this or request permission to associate with her. This information is based on NYS Division of Criminal Justice Services records. (Grade C violation)
- 3 **General Condition #1: The defendant shall not commit another federal, state, or local crime.** On September 13, 2007 the defendant was arrested by the Syracuse Police Department and charged with Assault 3rd. (misdemeanor). The police report indicates that on September 11, 2007, the defendant grabbed Jacquelyn Gilchrist by the neck and choked her. As she struggled to get away, the defendant punched her in her side. Gilchrist reported the defendant has done bodily harm to her in the past and has threatened to kill her. This information is based on Syracuse Police Department records and verbal statements Gilchrist made to the probation officer. (Grade C violation)

U.S. Probation Officer Recommendation:

The term of supervision should be:

- ☒ Revoked
☐ Extended for year(s), for a total term of years.

☐ The conditions of supervision should be modified as follows:

Respectfully submitted,

PAUL W. DeFELICE
Chief U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

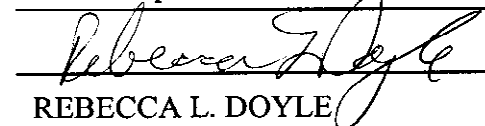
Approved by:

TIMOTHY R. KEOHANE
Supervising U.S. Probation Officer

Executed on:

September 17, 2007

by:

REBECCA L. DOYLE
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
☒ **The Issuance of a Summons**
☐ Other
☐ The Issuance of a Warrant. This petition and all documents attached hereto are **SEALED** until such time as the warrant generated by this petition is returned executed.

The District Court Clerk's Office is hereby **ORDERED NOT** to serve a copy of this petition or any of the attached documents upon anyone EXCEPT that a copy is to be served upon law enforcement personnel. Copies shall be served upon the unsealing of the petition.



Signature of Judicial Officer



Date